

PART 70 OPERATING PERMIT
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES

Eli Lilly and Company
Lilly Corporate Center (LCC)
Indianapolis, Indiana 46285

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17 and the Code of Indianapolis and Marion County, Chapter 511.

Operation Permit No.: T097-6793-00019	
Issued by: Original Signed by Janet G. McCabe Janet G. McCabe, Assistant Commissioner Office of Air Quality Indiana Department of Environmental Management John B. Chavez, Administrator Office of Environmental Services City of Indianapolis	Issuance Date: August 13, 2003 Expiration Date: August 13, 2008

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the City of Indianapolis, Office of Environmental Services (OES). The information describing the source contained in conditions A.1 through A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary pharmaceutical research and development source co-located with office space for corporate headquarters.

Responsible Official:	Executive Vice President, Science and Technology; Group Vice President, Lilly Research Labs; or Vice President, Manufacturing
Source Address:	Corner of McCarty and Delaware Streets, Building 73, Indianapolis, IN 46285
Mailing Address:	Eli Lilly and Company, Lilly Corporate Center Attention: Manager, HSE Indianapolis Environmental Services Indianapolis, IN 46285
General Source Phone Number:	(317)276-6415 (Indianapolis Environmental Services)
NAICS Code:	541710
County Location:	Marion
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Major Source, Section 112 of the Clean Air Act Minor Source under PSD

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and one (1) 1 MMBtu per hour secondary burner. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.
- (b) One (1) maintenance paint shop, identified as LCC Paint Shop, equipped with cap sprayers and electrostatic paint guns for final coating and using dry filters for overspray control.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Degreasing operations that do not exceed 145 gallons of solvent usage per 12 months and are not subject to 326 IAC 20-6, including, but not limited to:

Bldg. / Floor	Unit Description	Installation Date	Remote Solvent Reservoir	Open Top	Conveyerized
48 / B	Cold Cleaner Degreaser	After 7/1/90	No	No	No
78 / ground	Cold Cleaner Degreaser	After 7/1/90	No	No	No
32 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No
16 / 1	Cold Cleaner Degreaser	Before 1/1/80	No	No	No
15 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No

[326 IAC 8-3-2] [326 IAC 8-3-5]

- (b) Asbestos abatement projects regulated by 326 IAC 14-10. [326 IAC 14-10, Covered in Section C]
- (c) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4, Covered in Section C]

A.4 Insignificant Activities [326 IAC 2-7-1(21)]

This stationary source also consists of the following insignificant activities as defined in 326 IAC 2-7-1(21), which are not specifically regulated.

- (a) B48 Waste Collection System
 - (1) One (1) 1,000 gallon solvent/water waste storage tank, identified as B48-Tk-01A, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (2) Three (3) 250 gallon solvent/water waste storage tanks, identified as B48-Tk-01A, 02B, and 02C, each emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (3) One (1) 500 gallon solvent/water waste storage tank, identified as B48-Tk-03, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
- (b) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2 MMBtu/hour.
- (c) The following VOC and HAP storage containers:
 - (a) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
 - (b) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (d) Closed loop heating and cooling systems.
- (e) Operations using aqueous solutions containing less than 1% by weight of VOCs excluding HAPs.
- (f) Water based adhesives that are less than or equal to 5% by volume of VOCs excluding HAPs.
- (g) Noncontact cooling tower systems with forced and induced draft cooling tower system not regulated under a NESHAP.
- (h) Heat exchanger cleaning and repair.

- (i) Purging of gas lines and vessels that is related to routine maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.
- (j) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (k) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (l) On-site fire and emergency response training approved by the department.
- (m) Emergency generators as follows:

The following diesel generators not exceeding 1600 horsepower:

Building	Emission Estimate Type	Value
48B / ph	Hp	600
73 / 9	Hp	643
98 / A	Hp	166
98C - North	Hp	755
98C - South	Hp	755
Harmon St.	Hp	166
PS - 2	Hp	375

The following gas turbines or reciprocating engines not exceeding 16,000 horsepower which is equivalent to 11,931.2 kilowatts:

Building	Emission Estimate Type	Value
27 / ph	KW	30
27 ph	KW	45

- (n) Filter or coalescer media changeout.
- (o) Laboratories as defined in 326 IAC 2-7-1(21)(D).
- (p) Research and development operations as defined in 326 IAC 2-7-1(21)(E).
- (q) Portable containers used for the collection storage, or disposal of materials provided the container capacity is equal to or less than forty-six hundredths (0.46) cubic meters (121.5 US gallons) and the container is closed, except when the material is added or removed.

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B

GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

This permit is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

B.3 Enforceability [326 IAC 2-7-7]

- (a) Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM and OES, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.
- (b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by the Indianapolis Office of Environmental Services (OES).

B.4 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

This permit does not convey any property rights of any sort or any exclusive privilege.

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, and OES copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ and OES, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) As provided in 326 IAC 2-7-5(6), the Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.

- (b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.
- (c) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, and OES may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee’s control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

The PMP extension notification does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and OES. IDEM, OAQ, and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) To the extent Permittee is required by 40 CFR Part 60/63 to have an OMM Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for such unit.

B.12 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

OES's phone and facsimile numbers:

Telephone Number: 317/327-2234

Facsimile Number: 317/327-2274

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) In addition to the nonapplicability determinations set forth in Sections D of this permit, the IDEM, OAQ and OES have made the following determinations regarding this source:
- (1) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 40 CFR 63, Subparts I and H because research and development facilities are exempt. Lilly Corporate Center operates none of the processes listed at 63.190(b) including "pharmaceutical production processes", except in research and development facilities.
 - (2) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 326 IAC 6-5 because potential fugitive Particulate Matter (PM) emissions are less than 25 tons per year.
 - (3) The source is not subject to the Off Site Waste Rule 40 CFR 63, Subparts DD, OO, PP, QQ, RR or VV because the source does not accept off site waste that contains HAPs.
 - (4) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 40 CFR 63, Subpart GGG because research and development facilities are exempt and no manufacturing of pharmaceutical products occurs at the Lilly Corporate Center.
 - (5) None of the insignificant storage vessels are subject to the requirements of 40 CFR 60, Subpart Kb because none of the vessels are greater than 40m³ in size.
 - (6) None of the facilities at the source are subject to the requirements of 326 IAC 8-5-3 because no manufacturing of pharmaceutical products occurs at the source.
 - (7) The requirements from CP 95-0019-01, issued on July 14, 1995, Conditions 6 and 7, listing requirements making 326 IAC 2-2 not applicable, are not applicable because IDEM, OAQ and OES have determined that calculating the potential to emit for emergency generators at 500 hours per year makes the limit no longer necessary.
 - (8) Any construction or reconstruction of research and development facilities, as defined in 40 CFR 60.41, is not subject to the requirements of 40 CFR 63, Subpart B and/or 326 IAC 2-4.1.
 - (9) The source is not subject to the Waste Benzene NESHAP 40 CFR 61, Subpart FF because the source is not engaged in the production of chemicals. No production takes place at this facility.
- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, or OES shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to

be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, or OES has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, or OES has issued the modification. [326 IAC 2-7-12(b)(8)]

B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination

[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, or OES determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, or OES to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or OES may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-4]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and OES and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
- (1) A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (2) If IDEM, OAQ, and OES, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, and OES, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, and OES, any additional information identified as being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAQ, and OES fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, and OES in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, OES, and U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and OES within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, or OES the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P][326 IAC 6-3-2]

- (a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour. This condition will remain applicable until the revisions to 326 IAC 6-3-2 are approved into the SIP and this condition is modified in a subsequent permit action.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition becomes federally enforceable upon approval by EPA of 326 IAC 6-3-2 as the federally approved SIP; until then, this term is only state enforceable.

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Operation of Equipment [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission unit vented to the control equipment is in operation.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

- (f) Demolition and renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.8 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES, if the source submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the source must comply with the applicable requirements of 40 CFR 68.

C.13 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM,

OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.14 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6] [326 IAC 2-7-19 (e)]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements and be used for the purpose of a Part 70 fee assessment:

- (1) Indicate estimated actual emissions of criteria pollutants from the source;
- (2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule")) from the source, for purposes of Part 70 fee assessment.

- (b) The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

C.15 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this Permit shall be retained for a period of at least five (5) years from the date of monitoring

sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or Administrator of OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES within a reasonable time.

- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.16 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- and
- Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

Stratospheric Ozone Protection

C.17 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and one (1) 1 MMBtu per hour secondary burner. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Medical Waste Incinerator Limit [326 IAC 11-6 and 40 CFR Part 60, Subpart Ce] [326 IAC 12]

The weight of the fuel feed stream to the incinerator shall be comprised of ten percent (10%) or less, in aggregate, of hospital waste and medical infectious waste as measured on a calendar quarter basis. This limit is required to make the facility a co-fired combustor as defined by 40 CFR 60.51c and makes 326 IAC 11-6 and 40 CFR Part 60.30e (Subpart Ce) not applicable. Any change or modification that makes hospital waste and medical infectious waste comprise more than 10% of the waste stream being fed to the incinerator will make the facility subject to the requirements of 40 CFR Part 60, subpart Ce.

D.1.2 Commercial and Industrial Solid Waste Incineration Limit [326 IAC 11-8] [40 CFR Part 60, Subpart DDDD] [326 IAC 12]

The weight of the fuel feed stream to the incinerator shall be comprised of ninety percent (90%) or greater, in aggregate, of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as defined in 40 CFR 60.2265, as measured on a calendar quarter basis. This limit makes 326 IAC 11-8 and 40 CFR Part 60.2555 (Subpart DDDD) not applicable. Any change or modification that makes pathological waste, low-level radioactive waste and/or chemotherapeutic waste comprise less than 90% of the waste stream being fed to the incinerator will make the facility subject to the requirements of 40 CFR Part 60, subpart DDDD.

D.1.3 Incinerators [40 CFR 52, Subpart P]

Pursuant to 40 CFR 52, Subpart P, Emission unit ID B98-1 shall:

- (a) consist of primary and secondary chambers or the equivalent;
- (b) be equipped with a primary burner unless burning wood products;
- (c) comply with 326 IAC 5-1 and 326 IAC 2;
- (d) be maintained properly as specified by the manufacturer and approved by the commissioner;
- (e) be operated according to the manufacturer's recommendations and only burn waste approved by the commissioner;
- (f) comply with other state and/or local rules or ordinances regarding installation and operation of incinerators;

- (g) be operated so that emissions of hazardous material including, but not limited to, viable pathogenic bacteria, dangerous chemicals or gases, or noxious odors are prevented;
- (h) not emit particulate matter in excess of three-tenths (0.3) pounds of particulate matter per one thousand (1,000) pounds of dry exhaust gas at standard conditions corrected to fifty percent (50%) excess air.
- (i) not create a nuisance or a fire hazard.

If any of the above result, the burning shall be terminated immediately. This condition will remain applicable until the revisions to 326 IAC 4-2 are approved into the SIP and the condition is modified in a subsequent permit action.

D.1.4 Incinerators [326 IAC 4-2]

Pursuant to 326 IAC 4-2, the incinerator shall:

- (a) Consist of primary and secondary chambers or the equivalent;
- (b) Be equipped with a primary burner;
- (c) Comply with 326 IAC 5-1 and 326 IAC 2;
- (d) Be maintained, operated and burn waste in accordance with :
 - (1) manufacturers specifications; or
 - (2) an operation and maintenance plan that complies with the following:
 - (A) be designed to meet the PM emission limitation specified in subsection (a)(5) and include the following: procedures for receiving, handling and charging waste, procedures for incinerator startup and shutdown, procedures for responding to a malfunction, procedures for maintaining proper combustion air supply levels, procedures for operating the incinerator and associated air pollution control systems, procedures for handling ash, and a list of wastes that can be burned in the incinerator.
 - (B) each incinerator operator shall review the plan before initial implementation of the operation and maintenance plan and annually thereafter.
 - (C) be readily accessible to incinerator operators.
 - (D) the owner or operator of the incinerator shall notify the department, in writing, thirty days after the operation and maintenance plan is initially developed pursuant to this section.
- (e) Not emit particulate matter in excess of three tenths (0.3) pound of particulate matter per one thousand (1,000) pounds of dry exhaust has under standard conditions corrected to fifty percent (50%) excess air.
- (f) The owner or operator of the incinerator must make the manufacturer's specifications or the operation and maintenance plan available to the department upon request.

If any of the requirements of (a) through (d) above are not met, then the owner or operator shall stop charging the incinerator until adjustments are made that address the underlying cause of the deviation. This condition is not federally enforceable.

D.1.5 Carbon Monoxide [40 CFR 52, Subpart P]

Pursuant to 40 CFR 52, Subpart P, the confidential document incinerator shall not cause or allow the discharge of carbon monoxide from refuse incineration or burning equipment, unless the waste gas stream is burned in a direct-flame afterburner.

D.1.6 Carbon Monoxide [326 IAC 9-1]

Pursuant to 326 IAC 9-1-2 (Carbon Monoxide Emission Limits, the incinerator (B98-1) shall not be operated unless the waste gas stream is burned in a direct-flame afterburner or a secondary chamber. This condition is not federally enforceable.

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.7 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be complete and sufficient to establish compliance with the limits established in Condition D.1.1 and/or D.1.2.
- (1) The weight, on a calendar quarter basis, of the total amount of waste burned;
 - (2) The total weight, on a calendar quarter basis, of hospital waste and medical/infectious waste combusted, as defined in 40 CFR 60.51c; and
 - (3) The total weight, on a calendar quarter basis, of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste combusted, as defined in 40 CFR 60.2265;
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Insignificant Activity

One (1) maintenance paint shop, identified as LCC Paint Shop, equipped with cap sprayers and electrostatic paint guns for final coating and using dry filters for overspray control.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.2.1 Volatile Organic Compounds (VOC) Limitations [326 IAC 8-2-6]

Pursuant to 326 IAC 8-2-1 (Surface Coating Emission Limitations), the actual input of VOC is less than fifteen (15) pounds per day when coating metal furniture such that 326 IAC 8-2-6 does not apply. Any change or modification that would increase actual VOC emissions to greater than fifteen (15) pounds per day when coating metal furniture requires prior approval by OAQ and OES.

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.2.2 Record Keeping Requirements

- (a) To document compliance with Condition D.2.1, the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken as stated below and shall be complete and sufficient to establish compliance with the VOC input limit established in Condition D.2.1.
 - (1) The VOC content of each coating material and solvent added to coatings used less water for coating metal furniture.
 - (2) The amount of coating material and solvent used on a daily basis to coat metal furniture.
 - (3) The cleanup solvent usage for each day;
 - (4) The weight of VOCs input each day when coating metal furniture.

SECTION D.3

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Insignificant Activities

Any degreasing operations that do not exceed 145 gallons of solvent usage per 12 months and are not subject to 326 IAC 20-6, including, but not limited to:

Bldg. / Floor	Unit Description	Install. Date	Remote Solvent Reservoir	Open Top	Conveyerized
48 / B	Cold Cleaner Degreaser	After 7/1/90	No	No	No
78 / ground	Cold Cleaner Degreaser	After 7/1/90	No	No	No
32 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No
16 / 1	Cold Cleaner Degreaser	Before 1/1/80	No	No	No
15 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)] (Cold Cleaning Degreaser Operations)

D.3.1 Volatile Organic Compounds (VOC) (Cold Cleaner Operations) [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations) for cold cleaning operations, identified as 48 / B, 78 / ground, 32 / 1, and 15 / 1, constructed after January 1, 1980, the owner or operator shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

D.3.2 Volatile Organic Compounds (VOC) (Cold Cleaner Degreaser Operation and Control) [326 IAC 8-3-5]

(a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of the cold cleaner degreasers identified as 48 / B, 78 / ground, 32 / 1, 16 / 1, and 15 / 1, without remote solvent reservoirs existing as of January 1, 1980, located in Clark, Elkhart, Floyd, Lake, Marion, Porter or St. Joseph counties or constructed after July 1, 1990, shall ensure that the following requirements are met:

- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));

- (B) The solvent is agitated; or
 - (C) The solvent is heated.
 - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
 - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
 - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
 - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES

PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Eli Lilly, Lilly Corporate Center
Source Address: Lilly Corporate Center, Indianapolis, IN 46285
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
Part 70 Permit No.: T097-6793-00019

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

9 Annual Compliance Certification Letter

9 Test Result (specify) _____

9 Report (specify) _____

9 Notification (specify) _____

9 Affidavit (specify) _____

9 Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH**

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967

and

**CITY OF INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
AIR QUALITY MANAGEMENT SECTION**

DATA COMPLIANCE
2700 South Belmont Ave.
Indianapolis Indiana 46221
Phone: 317-327-2234
Fax: 317-327-2274

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Eli Lilly, Lilly Corporate Center
Source Address: Lilly Corporate Center, Indianapolis, IN 46285
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
Part 70 Permit No.: T097-6793-00019

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <p>9 This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none"><input type="checkbox"/> The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and<input type="checkbox"/> The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16. |
|---|

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

and

**CITY OF INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
AIR QUALITY MANAGEMENT SECTION / DATA COMPLIANCE**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Eli Lilly, Lilly Corporate Center
Source Address: Lilly Corporate Center, Indianapolis, IN 46285
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
Part 70 Permit No.: T097-6793-00019

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Attachment A

The following state rule have been adopted by reference by the Indianapolis Air Pollutant Control Board and are enforceable by Indianapolis Office of Environmental Services (OES) using local enforcement procedures.

- (1) 326 IAC 1-1-1 through 1-1-3 and 1-1-5;
- (2) 326 IAC 1-2-1 through 1-2-91 (In addition, the IAPCB has adopted several local definitions);
- (3) 326 IAC 1-3-1 through 1-3-4;
- (4) 326 IAC 1-4-1 (The IAPCB added to the adoption by reference a citation to 61 FR 58482 (November 15, 1996));
- (5) 326 IAC 1-5-1 through 1-5-5;
- (6) 326 IAC 1-6-1 through 1-6-6;
- (7) 326 IAC 1-7-1 through 1-7-5
- (8) 326 IAC 2-3-1 through 2-3-5;
- (9) 326 IAC 2-4-1 through 2-4-6;
- (10) 326 IAC 2-6-1 through 2-6-4;
- (11) 326 IAC 2-7-1 through 2-7-18, 2-7-20 through 2-7-25;
- (12) 326 IAC 2-8-1 through 2-8-15, 2-8-17 through 2-8-10;
- (13) 326 IAC 2-9-1 through 2-9-14;
- (14) 326 IAC 2-10-1 through 2-10-5 (The IAPCB adoption adds the language "state or local" immediately after the word "federal" in 326 IAC 2-10-1);
- (15) 326 IAC 2-11-1, 2-11-3 and 2-11-4 (The IAPCB adoption adds the language "federal, state or local" immediately after the word "by" in 326 IAC 2-11-1);
- (16) 326 IAC 3-1.1-1 through 3-1.1-5;
- (17) 326 IAC 3-2.1-1 through 3-2.1-5;
- (18) 326 IAC 3-3-1 through 3-3-5;
- (19) 326 IAC 4-2-1 through 4-2-2;
- (20) 326 IAC 5-1-1 (a), (b) and c) (5), 5-1-2 (1), (2)(A), (2)c) (4), 5-1-3 through 5-1-5, 5-1-7;
- (21) 326 IAC 7-1.1-1 and 7-1.1-2;
- (22) 326 IAC 7-2-1;
- (23) 326 IAC 7-3-1 and 7-3-2;
- (24) 326 IAC 7-4-2(28) through (31) (Instead of adopting by reference 7-4-2(1) through (27), the IAPCB regulation substitutes the same requirements listed in a format in which the companies are alphabetized and emission points known to no longer exist have been deleted);
- (25) 326 IAC 8-1-0.5 except (b), 8-1-1 through 8-1-2, 8-1-3 except c), (g) and (i), 8-1-5 through 8-1-12;
- (26) 326 IAC 8-2-1 through 8-2-12 (The IAPCB adoption by reference of 8-2- 5 adds additional language specific to Zimmer Paper Products, Incorporated as subpart c);
- (27) 326 IAC 8-3-1 through 8-3-7;
- (28) 326 IAC 8-4-1 through 8-4-5, 8-4-6 (a)(6), (a)(8) and (a)(14) and 8-4-6(b)(1), (b)(3) and 8-4-6c) (In place of 8-4-6(b)(2), which was not adopted, the IAPCB adopted language requiring a pressure relief valve set to release at no less than four and eight-tenths (4.8) Kilo Pascals (seven-tenths (0.7) pounds per square inch)), 8-4-7 except (e), 8-4-8 and 8-4-9;
- (29) 326 IAC 8-5-1 through 8-5-4, 8-5-5 except (a)(3) and (d)(3);
- (30) 326 IAC 8-6-1 and 8-6-2;
- (31) 326 IAC 9-1-1 and 9-1-2;
- (32) 326 IAC 11-1-1 through 11-1-2;
- (33) 326 IAC 11-2-1 through 11-2-3;
- (34) 326 IAC 11-3-1 through 11-3-6;
- (35) 326 IAC 14-1-1 through 14-1-4;

Attachment A continued

- (36) 326 IAC 14-2-1 except 40 CFR 61.145;
- (37) 326 IAC 14-3-1;
- (38) 326 IAC 14-4-1;
- (39) 326 IAC 14-5-1;
- (40) 326 IAC 14-6-1;
- (41) 326 IAC 14-7-1;
- (42) 326 IAC 14-8-1 through 14-8-5;
- (43) 326 IAC 15-1-1, 15-1-2(a)(1), (a)(2) and (a)(8), 15-1-3 and 15-1-4;
- (44) 326 IAC 20-1-1 through 20-1-4 (In 20-1-3(b)(2) the adoption states that "permitting authority" means the commissioner of IDEM or the administrator of OES, whichever is applicable);
- (45) 326 IAC 20-2-1;
- (46) 326 IAC 20-3-1;
- (47) 326 IAC 20-4-1;
- (48) 326 IAC 20-5-1;
- (49) 326 IAC 20-6-1;
- (50) 326 IAC 20-7-1;
- (51) 326 IAC 20-8-1;
- (52) 326 IAC 20-9-1;
- (53) 326 IAC 20-14-1;
- (54) 326 IAC 20-15-1;
- (55) 326 IAC 20-16-1;
- (56) 326 IAC 20-17-1;
- (57) 326 IAC 20-18-1;
- (58) 326 IAC 20-19-1;
- (59) 326 IAC 20-20-1;
- (60) 326 IAC 20-21-1;
- (61) 326 IAC 21-1-1 (The adoption states that "or the administrator of OES" is added in (b));
- (62) 326 IAC 22-1-1 (The adoption states that "or the administrator of OES" is added in (b)).

**Indiana Department of Environmental Management
Office of Air Quality
and
Indianapolis Office of Environmental Services**

**Addendum to the
Technical Support Document for a Part 70 Operating Permit**

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Location: Corner of McCarty and Delaware Streets, Building 73,
Lilly Corporate Center, Indianapolis, IN 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
County: Marion
NAICS Code: 541710
Operation Permit No.: T097-6793-00019
Permit Reviewer: Amanda Hennessy

On February 13, 2003, the Office of Air Quality (OAQ) and the City of Indianapolis Office of Environmental Services (OES) had a notice published in the Indianapolis Star, Indianapolis, Indiana, stating that Eli Lilly and Company - Lilly Corporate Center had applied for a Part 70 Operating Permit to operate a pharmaceutical research and development facility and office space for the organization's corporate headquarters. The notice also stated that OAQ and OES proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

The following changes to the draft Title V Permit will be made. The TSD will remain as it originally appeared when published. OAQ and OES prefer that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the permit has been published are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision. The Permit Table of Contents has been updated to reflect changes where necessary without being included in the response to comments and formatting changes have been made that do not change the meaning, intent or language of the permit. The summary of the changes made by IDEM and OES, public comments, and responses to comments follows with ~~strikeout~~ showing deleted text and **bold** showing new text.

IDEM and OES have made the following changes:

A previous version of the Carbon Monoxide rule has been incorporated into the Indiana SIP and is federally enforceable. The following Condition has been added and the conditions following this inserted condition have been renumbered:

D.1.5 Carbon Monoxide [40 CFR 52, Subpart P]

Pursuant to 40 CFR 52, Subpart P, the confidential document incinerator shall not cause or allow the discharge of carbon monoxide from refuse incineration or burning equipment, unless the waste gas stream is burned in a direct-flame afterburner.

On March 14, 2003, Eli Lilly and Company submitted comments on the proposed Part 70 permit. The summary of the comments and responses to comments follows.

Comment (1):

- B.7 Duty to Supplement. IDEM has considered B.7(a) and determined that this provision from 326 IAC 2-7-6 addresses the permit application process. Thus, IDEM has agreed to delete this term from the Title V Model Permit. Lilly requests that these changes are made to the LCC Title V permit.

Response to Comment (1):

IDEM and OES agree. The duty to supplement an application is not an ongoing requirement after the permit is issued; therefore, (a) has been removed from B.7 Duty to Supplement and Provide Information.

B.7 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)] [326 IAC 2-7-6(6)]

- ~~(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:—~~

~~Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015~~

~~and~~

~~Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221~~

~~The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

- (ba) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, and OES copies of records required to be kept by this permit.
- (eb) For information furnished by the Permittee to IDEM, OAQ and OES, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

Comment (2):

B.8 Compliance with Permit Conditions. IDEM has acknowledged that this permit term simply reflects the language of 326 IAC 2-7-5(A) and (B) and that this term is not intended to create an independent, additional compliance obligation. After discussions between counsel for the CASE Coalition and IDEM, IDEM has proposed certain changes; however, those changes do not make clear the informational aspect of this permit term. In its submission to IDEM on March 14, 2003, the CASE Coalition is proposing an approach that the State of Wisconsin utilizes in its model permit. Lilly requests that these changes are made to the LCC Title V permit.

Response to Comment (2):

IDEM and OES agree. The following change is being made to Condition B.8 Compliance with Permit Conditions.

B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) **As provided in 326 IAC 2-7-5(6)**, the Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
- (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.
- (b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.
- (c) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

Comment (3):

B.11(b) Preventive Maintenance Plans (PMP) In recent meetings, IDEM has acknowledged that the CASE Coalition's proposed change regarding record keeping is consistent with IDEM's understanding of how B.11 is to be implemented. Thus, Lilly recommends the following changes:

- (b) The Permittee shall implement the PMPs, **including any required record keeping**, as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.

Response to Comment (3):

IDEM and OES agree. B.11 (b) was revised to clarify that required record keeping needs to be implemented to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit. The following change will be made to B.11(b):

- (b) The Permittee shall implement the PMPs, **including any required record keeping**, as necessary to ensure that failure to implement a PMP does not cause or contribute to a ~~violation~~ **an exceedance** of any limitation on emissions or potential to emit.

Comment (4):

B.11(c) Requirement to Revise PMP IDEM has agreed to clarify this term in the Model Permit. Lilly requests that the changes below be incorporated into the LCC Title V permit.

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and OES. IDEM, OAQ, and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or ~~contributes~~ **is the primary contributor** to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Response to Comment (4):

IDEM and OES agree. Condition B.11(c) has been revised to clarify that OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The following change will be made to B.11(c):

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and OES. IDEM, OAQ, and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or ~~contributes~~ **is the primary contributor to an exceedance of any limitation on emissions or potential to emit to any violation**. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Comment (5) and (6):

B.11(d) PMP records. IDEM will include record keeping for the preventive maintenance required by a PMP in Section D, with the specific PMP requirement in Section D. Thus, section B.11(d) is not necessary. Lilly requests that this section be deleted.

B.11 PMP overlap with OMM Plans Required by Parts 60 and 63. IDEM has agreed to revise B.11 to avoid overlapping between PMP and OMM Plan requirements. This language is intended to carve out of the PMP requirements any units as addressed in 40 CFR Part 60 / 63. Lilly requests that the following language be inserted: To the extent Permittee is required by 40 CFR Part 60/63 to have an OMM Plan, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 and, otherwise, the OMM Plan requirements shall be the applicable requirements for maintenance.

Response to Comment (5) and (6):

IDEM and OES agree. The requirements to keep records of preventive maintenance in (d) has been moved to D Section in the model permit. This source has no emission units for which a PMP is required, therefore, no changes need to be made to the D sections of this permit. Because the general record keeping requirements (i.e. retained for 5 years) are in Section C, it is not necessary to include them in this condition or in the D condition. At some sources, an OMM Plan is required. Instead of having two separate plans, the OMM Plan may satisfy the PMP requirements, so (d) has been added to this condition. The following change will be made to Condition B.11(d):

- (d) ~~Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or OES Administrator makes a~~

~~request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES within a reasonable time.~~ **To the extent Permittee is required by 40 CFR Part 60/63 to have an OMM Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for such unit .**

Comment (7):

IDEM will include changes in the Model Permit at B.18 to clarify terms regarding nonroad engines. Lilly requests that the following be inserted into Condition B.18: No permit amendment or modification is required for the addition, operation, or removal of a nonroad engine, as that term is defined at 40 CFR 89.2.

Response to Comment (7):

IDEM and OES agree. In order to clarify that an amendment or modification will not be required for the addition, operation or removal of a nonroad engine, Condition B.18(d) has been added:

- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

Comment (8):

B.22(b) through (e) In response to ongoing discussion between IDEM and the CASE Coalition, IDEM has suggested the following language be inserted into Condition B.22 (b) through (e): As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1. Lilly requests that this language be incorporated into the LCC Title V permit.

Response to Comment (8):

IDEM and OES agree. The following changes will be made to Condition B.22:

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, OES, and U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, H**have access to and copy any records that must be kept under the conditions of this permit;
- (c) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, I**inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, S**sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2 and IC 13-30-3-1, U**utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

Comment (9):

C.1 Particulate Matter IDEM has included certain changes to reflect the existing SIP rule and the new, yet to be SIP approved rule regarding particulate emissions for process weight rates less than 100 lbs/hr. IDEM has also agreed to proposed changes regarding enforceability issues. Lilly requests that the following language be incorporated into the LCC Title V permit.

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52, Subpart P] [326 IAC 6-3-2]

- (a) Pursuant to 40 CFR 52, Subpart P, the allowable particulate matter emissions rate from any manufacturing process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall be 0.551 pounds per hour. This condition will remain applicable until the revisions to 326 IAC 6-3-2 are approved into the SIP and this condition is modified in a subsequent permit action.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), the allowable particulate emissions rate from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply, shall be 0.551 pounds per hour. This condition becomes federally enforceable upon approval by EPA of 326 IAC 6-3-2 as the federally approved SIP; until then, this term is only state enforceable.

Response to Comment (9):

IDEM and OES disagree and agree. The rule under 40 CFR 52, Subpart P, does not include the word "manufacturing," therefore, this change is not being made. The sentence added to (a) is accurate and is being added. The sentence added to (b) is also accurate and can be changed. The change of the words "not exceed" to "be" is not necessary because the words "the allowable" are being deleted. Condition C.1 has been changed as follows:

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P][326 IAC 6-3-2]

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- (a) Pursuant to 40 CFR 52 Subpart P, ~~the allowable~~ particulate matter emissions ~~rate~~ from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour. **This condition will remain applicable until the revisions to 326 IAC 6-3-2 are approved into the SIP and this condition is modified in a subsequent permit action.**
 - (b) Pursuant to 326 IAC 6-3-2(e)(2), ~~the allowable~~ particulate emissions ~~rate~~ from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. ~~This condition is not federally enforceable.~~ **This condition becomes federally enforceable upon approval by EPA of 326 IAC 6-3-2 as the federally approved SIP; until then, this term is only state enforceable.**

Comment (10):

C.7 Asbestos Accreditation IDEM has agreed to changes to Condition C.7 as outlined in the CASE Memo. Lilly requests that these changes be included in the LCC Title V permit.

Response to Comment (10):

C.7 Asbestos Abatement Projects has been revised to clarify that the requirement to have an Indiana Accredited Asbestos inspector is not federally enforceable and a new condition has been added. Condition C.7(f) and (g) have been changed as follows:

(f) Demolition and renovation

The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(fg) Indiana Accredited Asbestos Inspector

The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. ~~The requirement that the inspector be accredited, pursuant to the provisions of 40 CFR 61, Subpart M, is federally enforceable.~~ The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Comment (11):

C.12 Risk Management Plan Based on recent discussions with IDEM, IDEM has agreed to clarify the incorporation into the Title V Permit of the Risk Management Plan requirements at 40 CFR Part 68. Lilly requests that the changes below be incorporated into the LCC Title V permit.

C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

If, **as defined in 40 CFR 68**, a regulated substance, ~~subject to 40 CFR 68~~, is present at a source in more than a threshold quantity, **the source must comply with the applicable requirements at 40 CFR 68** ~~is an applicable requirement and the Permittee shall submit:~~ **including any applicable requirements to submit risk management plans or revised plans.**

~~_____ (a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~_____ (b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP);~~

~~_____ All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

Response to Comment (11):

C.17 Risk Management Plan has been revised so that it is more straightforward, and the condition requires the source to comply with the applicable requirements of 40 CFR 68 if a regulated substance is present at a source in more than a threshold quantity.

C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

If a regulated substance, **subject to as defined in 40 CFR 68**, is present at a source in more than a threshold quantity, ~~40 CFR 68 is an applicable requirement and the Permittee shall submit:~~ the source must comply with the applicable requirements of 40 CFR 68.

~~_____ (a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~(b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP);~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

Comment (12):

C.13 Compliance Response Plan (CRP) IDEM has agreed to language to clarify that, if SSM plans are required under 40 CFR Part 60 or 63, then there will be no overlapping CRP requirements. Lilly suggests that the changes suggested by the Coalition in its submission to IDEM on March 14, 2003 be incorporated into the LCC Title V permit.

Response to Comment (12):

Since the emission units at this source do not have any compliance monitoring requirements in the D sections of this permit, OES and IDEM have determined that Condition C.13 is unnecessary and can be removed from the permit. Condition C.13 has been deleted and all other conditions renumbered.

~~C.13 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]~~

~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM, OAQ and OES upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:~~

~~(1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps;~~

~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (c) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.~~

~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~

~~(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or~~

~~(2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~

- ~~(3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, the IDEM, OAQ shall be promptly notified of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.~~
- ~~(4) Failure to take reasonable response steps shall constitute a violation of the permit.~~
- ~~(c) The Permittee is not required to take any further response steps for any of the following reasons:~~
 - ~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~
 - ~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~
 - ~~(3) An automatic measurement was taken when the process was not operating.~~
 - ~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~
- ~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.~~
- ~~(e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~
- ~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~

Comment (13):

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test IDEM has agreed to the CASE Coalition changes submitted on March 14, 2003 to insert the language "response action" into the final sentence of the Condition to make the condition more clear on what requires certification by the responsible official. Lilly requests that this change be included in the LCC Title V permit.

Response to Comment (13):

IDEM and OES agree. In order to clarify which documents need to be certified by the responsible official, the following update has been made to Condition C.14 (now Condition C.13):

C.143 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The **response action** documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Comment (14):

C.15 Emission Statement IDEM has agreed to the changes submitted by the CASE Coalition on March 14, 2003. Lilly requests that these changes be incorporated into the LCC Title V permit.

Response to Comment (14):

IDEM and OES agree. The following changes have been made to Condition C.15(a) (now Condition C.14(a):

C.154 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
[326 IAC 2-6] [326 IAC 2-7-19 (e)]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements and be used for the purpose of a Part 70 fee assessment:
 - (1) Indicate estimated actual emissions of criteria pollutants from the source;
 - (2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1(32) ("**Regulated pollutant which is used only for purposes of Section 19 of this rule**") from the source, for purposes of Part 70 fee assessment.

Comment (15):

C.16 General Record Keeping Requirements IDEM has agreed to changes in the Model Permit as set forth by CASE in its submission to IDEM on March 14, 2003. Lilly requests that these changes be incorporated into the LCC Title V permit.

Response to Comment (15):

IDEM and OES agree. The following changes have been made to Condition C.16(a) (now Condition C.15(a):

C.165 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required **monitoring** data, reports and support information **required by this Permit** shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be ~~kept~~ **physically present or electronically accessible** at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or Administrator of OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES within a reasonable time.

Comment (16):

Lilly requests deletion of Conditions D.2.1 and D.2.2, which were written to implement 326 IAC 8-2-6. This rule, like the NSPS Subpart EE requirements (40 CFR Part 60, Subpart EE), was intended to apply to traditional metal furniture manufacturing operations, and it should not apply to the maintenance coating operations at LCC. The LCC painting operation differs in both scope and magnitude from the types of surface coating operations intended to be regulated by this rule.

A metal furniture coating operation typically consists of a coating application area, touch up, flash-off, and bake oven areas. 326 IAC 1-2-14 defines coating line as follows:

“Coating line” means all operations and equipment which apply, convey, and dry a surface coating, including, but not limited to, one (1) or more of the following:

- (1) Spray booths.
- (2) Flow coaters.
- (3) Flash-off areas.
- (4) Air dryers.
- (5) Ovens.

A critical aspect of this definition is the inclusion of the word convey, which indicates the use of a conveyor system to move pieces through the operation. This definition reflects the traditional notion of a full-fledged furniture manufacturing facility where furniture and pieces are transported to, through, and from the finishing area through mechanical conveyor systems. In contrast, the painting performed at LCC is a simple operation; it does not have a “coating line”. The painting operation does not have a conveyor system to move furniture pieces through the paint booth or from one area to another. Instead, furniture is painted in small batches - a few pieces at a time. The paint booth is used to refinish and touch up existing furniture owned by the company for its own internal use. Lilly does not manufacture metal furniture for commercial sale like the operations intended to be subject to 326 IAC 8-2-6.

The maintenance coating facilities at LCC are not like the types of manufacturing facilities that EPA had in mind when developing the Control Technique Guideline (CTG) for the metal furniture industry. 326 IAC 8-2-6 is derived from Control of Volatile Organic Emissions from

Existing Stationary Sources Volume III: Surface Coating of Metal Furniture (EPA 1977). This CTG describes operations that depict the traditional notion of the furniture manufacturing industry, particularly the production of new furniture. It describes an industry that creates new furniture products from various raw materials and parts. It describes a coating operation that typically consists of bare metal cleaning/degreasing followed by coating operations. In contrast, the CTG does not even mention old metal furniture refurbishing or maintenance operations where existing furniture is repainted or touched-up.

Furthermore, the paint booth at LCC is significantly smaller than the type of operation evaluated in the CTG. In order to determine Reasonably Available Control Technology for the industry, the CTG evaluates the cost-effectiveness of various control options on a small furniture coating operation and a large furniture coating operation. As the table below demonstrates, the LCC painting operation is significantly smaller in scope even when compared to the small furniture coating operation in the CTG. This is a conservative comparison because the CTG describes business furniture manufacturers as being the largest type of operation in the industry category. This is further evidence that Rule 8-2-6 was not intended to apply to refurbishing and maintenance operations.

	LCC Paint Booth	CTG small electrostatic spray coating operation
Number of coating lines	1 manual	1 automatic / 2 manual
Hours of operation per year	350	1920 hours
Amount of paint used	452	5700 gallons per year
Uncontrolled emissions	1.3 tons per year	22 tons per year

Lilly believes IDEM has considerable discretion to exclude sources from the applicability of rules, particularly when a source is small in terms of impact and small in comparison to the sources actually intended to be regulated by the rule. The notion of excluding de minimis sources from regulatory schemes is a long-standing element of administrative law.

Response to Comment (16):

IDEM and OES agree and disagree. IDEM and OES agree that de minimis sources should be excluded from the requirements of 326 IAC 8-2-6. Pursuant to 326 IAC 8-1-1 and 326 IAC 8-2-1, sources with actual emissions less than 15 pounds per day are exempt from 326 IAC 8-2-6. Eli Lilly Corporate Center's maintenance paint shop has actual emissions below 15 pounds per day and, therefore, is exempt from the requirements of 326 IAC 8-2-6. The source must keep records to show that actual emissions are less than 15 pounds per day.

The definition of coating line in 326 IAC 1-2-14 tries to identify which equipment would be included in a coating line. While the definition includes the word convey, this does not mean that a coating operation must have an electronic conveyor system in order to meet the definition of a coating line. What it does mean is that whatever equipment, if any, a source uses to "convey" is a part of the coating line.

The CTG document, to which the Permittee refers, states in its preface introductory sentence "This document is one of a series designed to inform Regional, State and local air pollution control agencies of techniques available for reducing emissions of volatile organic compounds (VOC) from existing stationary sources. It deals with the surface coating of metal furniture." This document was written to provide general information and a discussion of what controls and

limits a state might use when generating rules and permit requirements. The state of Indiana, and many other states, used the definition of metal furniture as defined in the CTG and used the suggested control requirements that the CTG outlines. While the CTG discusses typical facilities, it acknowledges that there is great variety in the types of facilities that paint metal furniture. The CTG mentions "job shops" and indicates that painting operations range from steady production to sporadic coating. While all of the sources from which data were obtained during the generation of the CTG manufacture furniture for sale, this does not eliminate other types of metal furniture coating operations from applicability to the Indiana metal furniture coating rule. Therefore, while the CTG was helpful to Indiana in generating the rule, it does not shed light on interpretation of the applicability of 326 IAC 8-2-6.

326 IAC 8-2-6 states: This section is applicable to surface coating of any furniture made of metal or any metal part which will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece. This language does not separate furniture that will be sold from furniture that will be used internally within the source or separate sources that manufacture the furniture to those that do not manufacture the furniture. IDEM and OES have no documentation to support that the intent of the rule was to only cover sources which manufacture and sell metal furniture and therefore, have to determine that this rule is applicable to all coating of metal furniture unless the source emits less than 15 pounds per day.

IDEM and OES disagree that Conditions D.2.1 and D.2.2 should be deleted. No change has been made to the permit in response to this comment.

**Indiana Department of Environmental Management
Office of Air Quality
and
Indianapolis Office of Environmental Services**

Technical Support Document (TSD) for a Part 70 Operating Permit

Source Background and Description

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Location: Corner of McCarty and Delaware Streets,
Building 73, Lilly Corporate Center, Indianapolis, IN 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
County: Marion
NAICS Code: 541710
Operation Permit No.: T097-6793-00019
Permit Reviewer: Amanda Hennessy

The Office of Air Quality (OAQ) and the Indianapolis Office of Environmental Services (OES) has reviewed a Part 70 permit application from Eli Lilly and Company relating to the operation of a pharmaceutical research and development facility and office space for the organization's corporate headquarters.

Source Definition

The source consists of numerous buildings serving as the headquarters for Eli Lilly and Company. The campus is roughly bordered by Pennsylvania Street on the west, South Street on the North, East Street on the east and I-70 on the south. The campus consists of buildings dedicated to the operation of headquarter business activities as well as research and development in pharmaceuticals.

It has been determined that this source:

- 1) is not contiguous and adjacent to the Lilly Technology Center located at 1555 South Harding (greater than 2 miles apart);
- 2) has the same SIC code as the Lilly Technology Center;
- 3) is under common control and ownership with the Lilly Technology Center; and
- 4) although some intellectual information is shared between the two locations, no physical product is transferred between the two locations, therefore, there is no support relationship;

Therefore, due to the distance and lack of a support relationship, the two locations will be considerate two (2) separate sources.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units and pollution control devices:

- (a) One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and one (1) 1 MMBtu per hour secondary burner. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.
- (b) One (1) maintenance paint shop, identified as LCC Paint Shop, equipped with cap sprayers and electrostatic paint guns for final coating and using dry filters for overspray control. The paint shop performs maintenance coating activities on existing metal furniture.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review process.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Degreasing operations that do not exceed 145 gallons of solvent usage per 12 months and are not subject to 326 IAC 20-6, including, but not limited to:

Bldg. / Floor	Unit Description	Installation Date	Remote Solvent Reservoir	Open Top	ConveyORIZED
48 / B	Cold Cleaner Degreaser	After 7/1/90	No	No	No
78 / ground	Cold Cleaner Degreaser	After 7/1/90	No	No	No
32 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No
16 / 1	Cold Cleaner Degreaser	Before 1/1/80	No	No	No
15 / 1	Cold Cleaner Degreaser	After 7/1/90	No	No	No

[326 IAC 8-3-2 and 326 IAC 8-3-5]

- (b) Asbestos abatement projects regulated by 326 IAC 14-10.
- (c) B48 Waste Collection System
 - (1) One (1) 1,000 gallon solvent/water waste storage tank, identified as B48-Tk-01A, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (2) Three (3) 250 gallon solvent/water waste storage tanks, identified as B48-Tk-01A, 02B, and 02C, each emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (3) One (1) 500 gallon solvent/water waste storage tank, identified as B48-Tk-03, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.

- (d) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2 MMBtu/hour.
- (e) The following VOC and HAP storage containers:
 - (1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
 - (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (f) Closed loop heating and cooling systems.
- (g) Operations using aqueous solutions containing less than 1% by weight of VOCs excluding HAPs.
- (h) Water based adhesives that are less than or equal to 5% by volume of VOCs excluding HAPs.
- (i) Noncontact cooling tower systems with forced and induced draft cooling tower system not regulated under a NESHAP.
- (j) Heat exchanger cleaning and repair.
- (k) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]
- (l) Purging of gas lines and vessels that is related to routine maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.
- (m) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (n) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (o) On-site fire and emergency response training approved by the department.
- (p) Emergency generators as follows:
 - (1) The following diesel generators not exceeding 1600 horsepower:

Building	Unit Capacity
48B / ph	600 Hp
73 / 9	643 Hp
98 / A	166 Hp
98C - North	755 Hp
98C - South	755 Hp
Harmon St.	166 Hp
PS - 2	375 Hp

- (2) The following gas turbines or reciprocating engines not exceeding 16,000 horsepower which is equivalent to 11,931.2 kilowatts:

Building	Unit Capacity
27 / ph	30 KW
27 ph	45 KW

- (q) Filter or coalescer media changeout.
- (r) Laboratories as defined in 326 IAC 2-7-1(21)(D).
- (s) Research and development operations as defined in 326 IAC 2-7-1(21)(E).
- (t) Portable containers used for the collection storage, or disposal of materials provided the container capacity is equal to or less than forty-six hundredths (0.46) cubic meters (121.5 US gallons) and the container is closed, except when the material is added or removed.

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

- (a) Certificate of Operation 11002, issued on March 2, 1984 for the Consumat Incinerator;
- (b) Certificate of Operation 11025, issued on September 27, 1984 for a vacuum shelf dryer;
- (c) Certificate of Operation 08296, issued on November 28, 1984 for a carbon adsorber;
- (d) Certificate of Operation 08297, issued on November 28, 1984 for a forced air dryer;
- (e) Certificate of Operation 08298, issued on November 28, 1984 for a forced air dryer;
- (f) Certificate of Operation 08299, issued on November 28, 1984 for a vacuum shelf dryer;
- (g) Certificates of Operation 0019-01, 0019-02, and 0072-01, issued on April 30, 1987 and updated on December 23, 1987 for the Consumat Incinerator and eighteen fixed roof solvent storage tanks; and
- (h) Construction Permit 950019-01, issued on July 14, 1995 for the installation of emergency generators.

The following terms and conditions from previous approvals have been determined no longer applicable; therefore, were not incorporated into this Part 70 permit:

- (a) All construction conditions from all previously issued permits.

Reason not incorporated: All facilities previously permitted have already been constructed; therefore, the construction conditions are no longer necessary as part of the operating permit. Any facilities that were previously permitted but have not yet been constructed would need new pre-construction approval before beginning construction.

- (b) CP 950019-01, issued July 14, 1995

Operating Condition 6 and 7 stating:

Condition 6. The fuel consumption for each of the engines described in this permit are restricted such that combined NOx emissions do not exceed 40 tons per year and the Prevention of Significant Deterioration 326 IAC 2-2 shall not apply. The restriction on fuel consumption for each engine is below.

CP Approval Number	Unit Serial Number	Twelve consecutive month fuel usage limit
019-01	215840	2,736 gallons #2 fuel oil
019-02	0472438506	12,160 gallons #2 fuel oil
019-03	267144	11,400 gallons #2 fuel oil
019-04	0874843619	5,282 gallons #2 fuel oil
019-05	C920455062	2,736 gallons #2 fuel oil
019-06	D900315074	12,160 gallons #2 fuel oil
019-07	I910420720	143,184 MMft ³ Natural Gas
019-08	not given	143,184 MMft ³ Natural Gas
019-09	not given	12,160 gallons #2 fuel oil

Condition 7. The Permittee shall maintain permanent records, in a suitable form for inspection by Section personnel, of the following items. The records shall be maintained for at least two years following the date of each measurement:

- (a) The daily fuel usage for each engine.
- (b) Sulfur content for each shipment of fuel received.
- (c) The twelve month sum of fuel usage for each engine rolled monthly.

Reason for not incorporating:

This condition is no longer required because of an EPA memorandum, dated September 6, 1995, stating that the potential to emit (PTE) for emergency generators should be calculated based on operation at 500 hours per year. Calculating the above emergency generators' PTE at 500 hours shows the modification to be below PSD significant modification thresholds. In addition, the source's PTE of each criteria pollutant is below 100 tons per year. Therefore, the limits are no longer necessary. Emergency Generators 019-01, 019-06 and 019-09 have been removed.

- (c) All conditions from Certificates of Operation issued to the source.

Reason for not incorporating:

This Title V operating permit supersedes all previously issued operation permits.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit application for the purposes of this review was received on October 2, 1996. Updated information was submitted in the spring of 2002.

Emission Calculations

The Permittee submitted the following updated calculations:

Incinerator Potential To Emit:

Pollutant	Feed Rate	Emission Factor ⁽¹⁾	Potential Emissions	Potential Emissions
	(Tons per year)	(pounds per ton)	(pounds per year)	(tons per year)
HCl	2299.5	33.5	77033.25	38.52
PM	2299.5	4.67	10738.67	5.37
NOx	2299.5	3.56	8186.22	4.09
PM-10	2299.5	3.04	6990.48	3.50
CO	2299.5	2.95	6783.53	3.39
SO ₂	2299.5	2.17	4989.92	2.49
TOC	2299.5	0.299	687.55	0.34
Pb	2299.5	0.0728	167.40	0.08

⁽¹⁾ Emission Factors from AP-42 Medical Waste, Controlled Air Incinerators.

Calculations submitted in the original application included emissions from an insulin production facility, which has been removed from the source.

Potential To Emit

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA.”

This table reflects the PTE of significant activities before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	less than 100
PM-10	less than 100
SO ₂	less than 100
VOC	less than 100
CO	less than 100
NO _x	less than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP's	Potential To Emit (tons/year)
HCl	greater than 10
Pb	less than 10
TOTAL	greater than 25

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit of a combination of HAPs is greater than twenty-five (25) tons per year, therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2001 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	not reported
PM-10	0.4348
SO ₂	0.21
VOC	4.534
CO	0.84
NO _x	0.252
HAP (Hydrochloric Acid)	0.03

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)						
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Incinerator	< 100	< 100	< 100	< 100	< 100	< 100	>10 / 25
Paint Shop	<100	< 100	---	< 100	---	---	negl.
Degreasing Units	---	---	---	< 100	---	---	---
Total Emissions	< 100	< 100	< 100	< 100	< 100	< 100	>10 / 25

County Attainment Status

The source is located in Marion County.

Pollutant	Status
PM-10	unclassifiable
SO ₂	maintenance attainment
NO ₂	attainment
Ozone	maintenance attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Marion County has been designated as attainment or unclassifiable for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (b) Marion County has been classified as attainment or unclassifiable for PM-10, SO₂, NO_x, CO, and lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (c) Fugitive Emissions
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

- (a) The incinerator, emission unit ID# B98-1 is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.30e, Subpart Ce), since the source meets the definition of a co-fired combustor by maintaining waste composition of 10% or less, in aggregate, of hospital waste and medical / infectious waste as measured on a calendar quarter basis. Co-fired combustors are not subject to this rule pursuant to 40 CFR 60.32e(c) if they notify the Administrator providing an estimate of the composition of waste to be fired and keep records on a calendar quarter basis of the weights of all fuels combusted in the co-fired combustor.
- (b) The incinerator, emission unit ID# B98-1, is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.2010, Subpart CCCC), since the unit is not a new or modified unit pursuant to 40 CFR 60.2015.
- (c) The incinerator, emission unit ID # B98-1, is not subject to the requirements of the state plan required under the New Source Performance Standard 40 CFR 60.2505 (Subpart DDDD), incorporated by 326 IAC 11-8 since waste input into the unit is at least 90% or greater, in aggregate, of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as defined in 40 CFR 60.2265, as measured on a calendar quarter basis. Pursuant to 40 CFR 60.2555, the source will keep records as necessary to substantiate compliance with this limit and notify the administrator that they qualify as an exemption under 40 CFR 60.2555.
- (d) The LCC Paint Shop is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.310, Subpart EE). Background information submitted by the Permittee demonstrates that the maintenance paint shop does not meet the definition of surface coating operation in 40 CFR 60.311.

- (e) This source does not have any volatile organic liquid storage vessels on site with a storage capacity greater than 40 cubic meters for which construction was commenced after July 23, 1984. Therefore, the New Source Performance Standard for Volatile Organic Liquid Storage Vessels, 40 CFR 60.110(b), Subpart Kb incorporated in 326 IAC 12 does not apply to this source.
- (f) The degreasing operations are not subject to 40 CFR 63, Subpart T because the Permittee does not use solvents containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, or chloroform in a total concentration greater than 5% by weight as a cleaning and/or drying agent.
- (g) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 20 and 40 CFR Part 63) applicable to this source.
- (h) The Permittee is not subject to the requirements of 40 CFR 63.40-44 (Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j)) at the time of this permit issuance because the source has not constructed a major source of HAPs that is not a research and development facility.
- (i) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because the source does not include one or more units that belong to one or more source categories affected by the Section 112(j) MACT Hammer date of May 15, 2002.

40 CFR Part 63, Subpart RRRR for Coating of Metal Furniture does not apply to this source because the current applicability of the NESHAP exempts janitorial and maintenance coating from the requirements.
- (j) The Permittee is not subject to 40 CFR 61, Subpart FF (National Emission Standard for Benzene Waste Operations) because the source is not engaged in the production of chemicals. No production takes place at this facility.

State Rule Applicability - Entire Source

326 IAC 1-5-2 (Emergency Reduction Plans)

The source submitted an Emergency Reduction Plan (ERP) in 1993. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans). However, since the source does not have the potential to emit any pollutant greater than 100 tons per year, an Emergency Reduction Plan is not required.

326 IAC 1-6-3 (Preventive Maintenance Plan)

Pursuant to 326 IAC 2-7-5(13)(A), Part 70 permits must require that the source maintain preventive maintenance plans (PMPs) as described in 326 IAC 1-6-3.

Based on OES's review PMPs are not required for the following emission units:

- (a) A PMP is not required for the incinerator (B98-1) because there is not an applicable NSPS or NESHAP, the unit does not have a control device, actual emissions are less than 25 tons per year and the unit does not have a condition limiting potential to emit.
- (b) A PMP is not required for the LCC Paint Shop because there is not an applicable NSPS or NESHAP, the unit does not have a control device, actual emissions are less than 25 tons per year and the unit does not have a condition limiting potential to emit.

326 IAC 2-2 (Prevention of Significant Deterioration)

This source is not one of the 28 listed source categories under 326 IAC 2-2 and potential to emit is less than 250 tons per year for each criteria pollutant, this source is not major for PSD.

The modification in 1995 was reviewed pursuant to 326 IAC 2-2. At the time of the CP 0950019-01, this source was one of the 28 listed sources (insulin was produced at this location, and therefore, the source was considered a chemical process plant) and the PTE of VOC, including fugitives, was greater than 100 tons per year. At this time, PTE of VOC is no longer greater than 100 tons per year and the source is no longer considered a chemical process plant, due to the delisting of acetone and the removal of the insulin production that used to take place at the Lilly Corporate Center. Therefore, the source is not currently major for PSD purposes. In the original CP 950019-01, the fuel usage was limited so that 326 IAC 2-2 did not apply. However, an EPA memo, dated September 6, 1995, clarified that PTE for emergency generators is to be calculated based on 500 hours per year rather than at 8760 hours per year. At 500 hours per year, the emergency generators were not a significant modification. Therefore the fuel usage limits have been removed. For additional information see the Existing Approvals section of this document. In addition, three of the originally permitted emergency generators have been removed and replaced with units that are insignificant with respect to permitting requirements.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants)

The source is not subject to 326 IAC 2-4.1(Major Sources of Hazardous Air Pollutants), because the source has not constructed or reconstructed a major source of HAPs after July 27, 1997. This rule does not apply to research and development activities pursuant to 326 IAC 2-4.1-1(b)(4).

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than ten (10) tons per year of VOC and is located in Marion County. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

Eli Lilly and Company requested a determination that 326 IAC 5-1 is not applicable to certain units, specifically portable generators. Lilly suggests that portable generators are "non-road" engines and therefore, are not stationary sources. IDEM and OES feel that 326 IAC 5-1 is applicable to the entire source because the rule states that the rule applies to opacity, not including condensed water vapor, emitted by or from a facility or source. The only facilities that the rule does not apply to are those that have opacity limitations established in 326 IAC 6, 326 IAC 11, 326 IAC 12, or a Part 70 permit. Therefore, all facilities at the source are subject to the requirements of 326 IAC 5-1. However, pursuant to 326 IAC 85.1603(d), if a unit meets the definition of "non-road engine," as defined in 40 CFR 89.2 and 85.1602, IDEM and OES shall not enforce any standards or other requirements relating to the control of emissions from nonroad engines or vehicles except as provided for 40 CFR 85 Subpart Q. To meet the definition of non-road engine the unit must not remain at any site for more than 12 consecutive months, or a shorter period of time for a unit located at a seasonal source, as described in 40 CFR 85.1602 (2) (iii). Any non-road engines located at this source must be operated and maintained in accordance with any federal regulations applicable to each respective model of nonroad engine.

326 IAC 6-1 (Nonattainment Area Limitations)

Facilities at this source are not subject to the requirements in 326 IAC 6-1. The source is located in Marion County, which is listed in Section 7, however, no Lilly Corporate Center facilities are specifically listed in section 12. The potential to emit of PM is less than 100 tons per year and actual emissions of PM are less than 10 tons per year, therefore, 326 IAC 6-1-2 does not apply.

326 IAC 7.1 (Sulfur Dioxide Emission Limitations)

The Permittee's potential to emit SO₂ is less than 25 tons per year, therefore 326 IAC 7.1 (Sulfur Dioxide Emission Limitations) does not apply to any unit at this source.

326 IAC 8-5-3 (Synthesized Pharmaceutical Manufacturing Operations)

Since no manufacturing of pharmaceutical products by chemical synthesis occurs at this location, this rule is not applicable to this source.

326 IAC 8-6 (Organic Solvent Limitations)

This rule is not applicable to this source because the source-wide potential to emit of VOC is less than 100 tons per year.

State Rule Applicability - Individual Facilities

Incinerator - Emission Unit ID# B98-1

326 IAC 4-2 and 40 CFR 52, Subpart P

On December 15, 2002, revisions to 326 IAC 4-2 became effective. As of the date this permit is being issued these revisions have not been approved by EPA into the Indiana State Implementation Plan (SIP); therefore, the requirements from the previous version of 326 IAC 4-2 which have been approved into the SIP will remain as applicable requirements until the revisions to 326 IAC 4-2 are approved into the SIP and the condition is removed in a subsequent permit action. The Permit will include conditions reflecting both versions of 326 IAC 4-2: the version currently incorporated into the SIP and the newly amended 326 IAC 4-2.

40 CFR 52, Subpart P (Incinerators)

Pursuant to 40 CFR 52, Subpart P, Emission unit ID B98-1 shall:

- (a) consist of primary and secondary chambers or the equivalent;
- (b) be equipped with a primary burner unless burning wood products;
- (c) comply with 326 IAC 5-1 and 326 IAC 2;
- (d) be maintained properly as specified by the manufacturer and approved by the commissioner;
- (e) be operated according to the manufacturer's recommendations and only burn waste approved by the commissioner;
- (f) comply with other state and/or local rules or ordinances regarding installation and operation of incinerators;
- (g) be operated so that emissions of hazardous material including, but not limited to, viable pathogenic bacteria, dangerous chemicals or gases, or noxious odors are prevented;
- (h) not emit particulate matter in excess of three-tenths (0.3) pounds of particulate matter per one thousand (1,000) pounds of dry exhaust gas at standard conditions corrected to fifty percent (50%) excess air.
- (i) not create a nuisance or a fire hazard.

If any of the above result, the burning shall be terminated immediately.

Under the rule revision:

326 IAC 4-2 (Incinerators)

Emission unit ID B98-1 is subject to 326 IAC 4-2 because it is not of a type exempted in 326 IAC 4-2-1(b). Therefore, this facility shall comply with the following requirements:

- (a) Consist of primary and secondary chambers or the equivalent;
- (b) Be equipped with a primary burner;
- (c) Comply with 326 IAC 5-1 and 326 IAC 2;
- (d) Be maintained, operated and burn waste in accordance with :
 - (1) manufacturers specifications; or
 - (2) an operation and maintenance plan that complies with the following:
 - (A) be designed to meet the PM emission limitation specified in subsection (a)(5) and include the following: procedures for receiving, handling and charging waste, procedures for incinerator startup and shutdown, procedures for responding to a malfunction, procedures for maintaining proper combustion air supply levels, procedures for operating the incinerator and associated air pollution control systems, procedures for handling ash, and a list of wastes that can be burned in the incinerator.
 - (B) each incinerator operator shall review the plan before initial implementation of the operation and maintenance plan and annually thereafter.
 - (C) be readily accessible to incinerator operators.
 - (D) the owner or operator of the incinerator shall notify the department, in writing, thirty days after the operation and maintenance plan is initially developed pursuant to this section.
- (e) Not emit particulate matter in excess of three tenths (0.3) pound of particulate matter per one thousand (1,000) pounds of dry exhaust has under standard conditions corrected to fifty percent (50%) excess air.
- (f) The owner or operator of the incinerator must make the manufacturer's specifications or the operation and maintenance plan available to the department upon request.

If any of the requirements of (a) through (d) above are not met, then the owner or operator shall stop charging the incinerator until adjustments are made that address the underlying cause of the deviation.

Results of a 1995 stack test show that the incinerator is in compliance with the limit in (e) above.

These revised requirements are not federally enforceable until the EPA approves the revisions into the Indiana State Implementation Plan (SIP).

326 IAC 6-3 (Process Operations)

This facility is not subject to the requirements of 326 IAC 6-3 (Process Operations) since incinerators are exempt under 326 IAC 6-3-1(a)(2).

326 IAC 9-1 (Carbon Monoxide (CO) Emission Limits)

This facility is a stationary source of CO emissions commencing operation after March 21, 1972 and it is not exempt pursuant to 326 IAC 9-1-1(b). Therefore it is subject to the following:

The source shall not operate a refuse incinerator or burning equipment unless the waste gas stream is burned in one of the following: a direct-flame afterburner or a secondary chamber.

These requirements are not federally enforceable until the EPA approves them into the Indiana State Implementation Plan (SIP).

326 IAC 11-6 (Hospital/Medical/Infectious Waste Incinerators)

This facility is exempt from this rule because the fuel feed stream to the incinerator is comprised of ten percent (10%) or less, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis. This defines the incinerator as a co-fired combustor pursuant to 40 CFR 60.51c.

The source is required to notify the department and U.S. EPA of this exemption claim, provide the department and the U.S. EPA with an estimate of the relative weight of hospital waste, medical/infectious waste and other fuels or wastes to be combusted and maintain records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

326 IAC 11-8 (Commercial and Industrial Waste Incinerators)

This rule incorporates 40 CFR 60, Subpart CCCC by reference. Due to the requirement that the feed stream to the incinerator shall be comprised of 90% or greater of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as measured and recorded on a calendar quarter basis, this facility is not subject to the requirements of 326 IAC 11-8.

The source is required to notify the department and U.S. EPA of this exemption claim, provide the department and the U.S. EPA with an estimate of the relative weight of hospital waste, medical/infectious waste and other fuels or wastes to be combusted and maintain records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor. The exemption claim submitted under 326 IAC 11-6 will satisfy this requirement.

LCC Paint Shop

326 IAC 6-3-2

The surface coating operations taking place in the Paint Shop do not meet the definition of a manufacturing process, pursuant to 326 IAC 6-3-1.5. The surface coating activities are not involved in the process of production of the product. Therefore, 326 IAC 6-3-2 is not applicable to the paint shop.

326 IAC 8-2 (Volatile Organic Compound Rules)

Pursuant to 326 IAC 8-2-1, the paint booth has actual VOC input of less than fifteen (15) pounds of VOC per day when coating metal furniture such that 326 IAC 8-2-6 is not applicable.

Degreasing Operations

326 IAC 8-3-2 (Cold Cleaner Operation)

The degreasing facility located in Building 16 Floor 1 was installed prior to 1980, therefore, since the source's potential to emit VOC is less than 100 tons per year, this facility is not subject to the requirements of 326 IAC 8-3.

Section 2 of 326 IAC 8-3 (Organic Solvent Degreasing Operations) is applicable to all other cold cleaner degreasing operations, identified as 48 / B, 78 / ground, 32 / 1, and 15 / 1, because they are new facilities constructed after January 1, 1980, performing organic solvent degreasing operations located in the state.

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operation), the Permittee shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

326 IAC 8-3-5 (Cold cleaner degreaser operation and control)

The degreasing unit located in Building 16 Floor 1 was existing as of July 1, 1990, is located in Marion County and does not have a remote solvent reservoir, therefore it is subject to the requirements of 326 IAC 8-3-5.

All other degreasing units at this source, identified as 48 / B, 78 / ground, 32 / 1, and 15 / 1, were installed after July 1, 1990 and do not have remote solvent reservoirs, therefore they are subject to the requirements of 326 IAC 8-3-5.

- (a) Pursuant to 326 IAC 8-3-5(a), the Permittee shall ensure the following control equipment requirements are met for units 16 1, 48 / B, 78 / ground, 32 / 1, and 15 / 1:
 - (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));
 - (B) The solvent is agitated; or
 - (C) The solvent is heated.
 - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
 - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
 - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at

thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):

- (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the Permittee shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
 - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

Emergency Generators

326 IAC 6-3 (Particulate Emission Limitations)

Pursuant to 326 IAC 1-2-59, process weight does not include liquid or gaseous fuels, therefore 326 IAC 6-3-2 does not apply to the emergency generators identified as 48B/ph, 73 / 9, Harmon St., PS / 2B, 27 /ph 30 KW, 27 / ph 45 KW.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ and ERMD, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

Conclusion

The operation of this pharmaceutical research and development facility and office space shall be subject to the conditions of the attached proposed **Part 70 Permit No. T097-6793- 00019**.